

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	
UNITED STATES OF AMERICA	)	
	)	
V.	)	CASE NO. 04-10307-WGY
	)	
STEPHEN DEROSA	)	
_____	)	

**ASSENTED TO MOTION OF THE ACCUSED**  
**FOR RETURN OF BAIL**

Now comes Stephen DeRosa, the accused in the above-entitled criminal matter and pursuant to Fed. R. Crim. P. Rule 12 and LR 7.1, respectfully moves this Honorable Court to order the return to Idilia Darosa, the mother of the accused, the \$10,000.00 cash bail paid in this case.

As grounds for this Motion, the accused states as follows:

1. At his arraignment, the Court ordered Mr. Darosa released upon the payment of \$10,000.00 cash bail.
2. Mr. Darosa's bail was paid by his mother, Idilia Darosa.
3. While on release, Mr. Darosa was re-arrested and is currently being held in custody pending his arraignment on a superceding indictment.
4. As a result, the bail previously paid by Idilia Darosa should be reruned to her.
5. Attorney McCann contacted AUSA Paul R. Moore regarding this issue, and AUSA Moore has assented to the return of the bail money.

Respectfully submitted for,  
Stephen DeRosa, by his Attorney,

/s/ Eugene Patrick McCann

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Eugene Patrick McCann, BBO #327400  
Manzi and McCann  
59 Jackson Street  
Lawrence, Massachusetts 01840  
Tel. (978) 686-5664

DATED: December 6, 2005

ASSENTED TO:  
UNITED STATES OF AMERICA

/s/ Paul R. Moore

By:

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Paul R. Moore  
Assistant United States Attorney

**CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1(A)(2)**

I hereby certify that on this date my office conferred with AUSA Paul R. Moore, and he indicated that he would assent to this Motion.

/s/ Eugene Patrick McCann

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Eugene Patrick McCann, BBO #327400  
Manzi and McCann  
59 Jackson Street  
Lawrence, Massachusetts 01840  
Tel. (978) 686-5664

**CERTIFICATE OF SERVICE**

I, Eugene Patrick McCann, counsel for Stephen DeRosa, certify under the pains and penalties of perjury, that I have on this 6<sup>th</sup> day of December, 2005, served a copy of the foregoing to be delivered by electronic filing to:

AUSA Paul R. Moore  
Office of the United States Attorney  
U.S. Courthouse, Suite 9200  
One Courthouse Way  
Boston, Massachusetts 02210

/s/ Eugene Patrick McCann

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Eugene Patrick McCann